

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

UNITED STATES OF AMERICA)	
)	
v.)	No. 2:09-CR-106
)	
GARY RAYMOUND BUNTON)	

MEMORANDUM AND ORDER

This criminal case is before the court on the defendant's motion for a continuance of the plea deadline and the trial [doc. 22]. The defendant says that he needs time to file objections to the magistrate judge's report and recommendation and that the objections and plea deadline are both March 18, 2010. Thereafter the court will need time to consider the objections. The government has no objections to the requested continuance.

The court finds the defendant's motion well taken, and it will be granted. The court finds that the ends of justice served by granting the motion outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A). The court finds that the failure to grant the defendant's motion would deny counsel for the defendant the necessary time to file objections to the report and recommendation, would deny this court a reasonable period of time to consider the objections, and would deny the defendant time to consider a course

of action (prepare for trial or negotiate a plea) based on this court's determination of the objections. 18 U.S.C. § 3161(h)(8)(B)(iv). The defendant's motion requires a delay in the proceedings, therefore, all the time from the filing of the defendant's motion to the new trial date is excludable as provided by the Speedy Trial Act. 18 U.S.C. § 3161(h)(8)(A).

Therefore, it is hereby **ORDERED** that the defendant's motion is **GRANTED**, and this criminal case is **CONTINUED** to Wednesday, **June 2, 2010**, at **9:00 a.m.**

ENTER:

s/ Leon Jordan
United States District Judge